



Federal Emergency Relief Guidelines

Purpose:

When a natural disaster causes damage to Nebraska's highways and/or bridges, NDOR may be able to recover part or all of the repair costs through the federal Emergency Relief Program. This document is intended to clarify provisions of the federal Emergency Relief Manual and outline procedures developed during recent disasters. Following these guidelines will provide the best chance of receiving federal emergency relief (ER) funds.

District personnel are the best equipped to develop and employ procedures to handle the immediate response to a disaster. This document does not address those procedures. Its focus is on the work to be done in the days and weeks following the disaster to satisfy federal requirements and obtain maximum federal reimbursement.

General Information:

The basic provisions of the federal ER program that district and headquarters personnel should keep in mind in the event of a disaster are:

- ER funds are for the repair or reconstruction of highways that have suffered serious damage as the result of (1) natural disasters or (2) catastrophic failures from an external cause.
- Eligible projects must be on the federal aid system. This includes all Nebraska highways and local roads classified as Collectors and higher.
- Normally, eligible work must be done within the right-of-way limits of the damaged facility.
- The Federal Highway Administration (FHWA) requires that repair and restoration costs for the entire disaster total at least \$700,000 to qualify for ER funds.
- A disaster that causes damage over a wide area would likely be divided into "sites." Generally, a site would be an individual location where damage has occurred. However, the federal Emergency Relief Manual states that "a site could include several adjoining locations where similar damage, relating to the same cause, has occurred." In Nebraska, right-of-way fence damage that occurred intermittently along I-80 for several miles during the 2002 Ogallala flood was packaged as one site. FHWA requires that repair costs at each site exceed \$5,000.

Emergency vs. Permanent Repairs:

All work done in response to a disaster is classified as either emergency repair or permanent repair. Emergency repairs are reimbursed by FHWA at 100%. Permanent repairs are reimbursed at the normal rate for the type of highway being repaired. (90% on the interstate, 80% on other federal-aid routes) Consequently, it is important for those on site to understand the difference and to record time and equipment costs accordingly.

Emergency repairs are those done immediately following a disaster to restore essential traffic, minimize the extent of damage or protect the remaining facilities. Essentially, it is work that cannot wait for a finding of eligibility and programming of a project. This work must be performed within the first 180 days following the disaster. Examples of eligible emergency repairs are:

- Regrading of roadway surfaces, roadway fills, and embankments
- Debris removal
- Installation (and removal) of barricades and detour signs, flagging and pilot cars during the emergency period.
- Placement of rip-rap around piers and bridge abutments to relieve severe on-going scour action.
- Construction of temporary detours and detour bridges

Permanent repairs are those done (normally after emergency repairs have been completed) to restore the highway to its predisaster condition. **To be eligible for federal reimbursement, permanent repairs must be authorized by FHWA before they are carried out.** For NDOR purposes, this means that the project must be programmed, approved by FHWA and federal funds must be obligated on the project. In some instances, permanent work done before authorization may be approved if NDOR can document that it was more practical or economical to perform the work as part of the emergency repairs.

NDOR Emergency Relief Process:

1. Disaster occurs – District personnel follow their response procedures. Notify headquarters, 511 contacts.
2. Headquarters to notify FHWA that a potential ER scenario has occurred.
3. Site visits by key NDOR personnel as soon as practical after the disaster. Key personnel would be Director or Deputy, bridge and/or design engineers charged with making damage assessments and suggesting appropriate action to restore.
4. Site visit, if necessary, by Project Scheduling/Program Management Section representative, other affected NDOR division personnel. Coordinate with District to schedule a tour of the disaster site(s). FHWA representative,